

**CITY OF LINCOLN, NEBRASKA
COMMISSION ON HUMAN RIGHTS
MINUTES**

THURSDAY, September 16, 2010
K Street Complex Conference Room

CALL TO ORDER/ROLL CALL

The September 16, 2010 meeting of the Commission on Human Rights was called to order at 4 p.m. by Chairperson Wendy Francis.

Roll Call was documented as follows:

MEMBERS PRESENT:

Commissioners: Gene Crump, Takako Olson, Jose Quintero, Mary Reece, and Wendy Francis (Chairperson). Quorum present.

MEMBERS ABSENT:

Commissioners: Karla Cooper, Anitra Warrior, Hazel Rodriguez and Dick Noble.

STAFF PRESENT:

Angela Lemke, Margie Nichols, Regina Grant, Rod Confer, Terri Storer, Jocelyn Golden and Janice Folkner.

APPROVAL OF AUGUST 26, 2010 MINUTES

A motion was made by Commissioner Crump and seconded by Commissioner Olson to approve the Minutes of August 26, 2010 as presented.

Voting Aye: Crump, Olson, Quintero, Reece, Francis.
Motion carried 5-0.

APPROVAL OF SEPTEMBER 16, 2010 AGENDA

A motion was made by Commissioner Crump and seconded by Commissioner Reece to approve the Agenda of September 16, 2010 as presented.

Voting Aye: Crump, Olson, Quintero, Reece, Francis.
Motion carried 5-0.

CASE DISPOSITIONS

LCHR No.: 09-1104-056-E-R

Chairperson Francis declared a conflict of interest and left the room.

A motion for a finding of **No Reasonable Cause** was made by Commissioner Reece and seconded by Commissioner Crump.

Discussion ensued. Commissioner Reece inquired as to when the employee's evaluations were done. Investigator Lemke stated there were two completed before her injury in 2007 and 2008, and one completed after the injury in 2009. She adds that all evaluation ratings were similar before and after her injury.

Voting Aye: Olson, Quintero, Reece, Crump.
Abstained: Francis
Motion carried 4-1.

LCHR No.: 10-0129-001-E-R

A motion for a finding of **No Reasonable Cause** was made by Commissioner Crump and seconded by Commissioner Quintero.

Discussion ensued. Commissioner Crump stated Complainant alleged he was terminated based on his race and disability. Commissioner Francis stated evidence showed he had several write-ups based on his performance issues.

Voting Aye: Quintero, Reece, Francis, Crump, Olson.
Motion carried 5-0.

LCHR No.: 10-0311-008-E-R

A motion for a finding of **No Reasonable Cause** was made by Commissioner Crump and seconded by Commissioner Olson.

Discussion ensued. Commissioner Francis stated there seemed to be a conflict with her performance, at one point she was not let go because of her performance, but yet it reflected there were obvious issues with her performance. Investigator Lemke stated that the Respondent had given her a letter of reference that was positive regarding her performance and that she did well, but yet Respondent alleges that she was terminated for these same issues. When Lemke asked the Respondent about this, they stated they were trying to be nice and help find her a job that was better suited for her skills.

Lemke adds that they were able to give substantial documentation regarding the Complainant's performance concerns. Commissioner Reece also points out that shortly after the Complainant received a verbal warning regarding her performance, she received a satisfactory performance evaluation.

Voting Aye: Reece, Francis, Crump, Olson, Quintero.
Motion carried 5-0.

PRE-DETERMINATION SETTLEMENT AGREEMENTS:

LCHR No.: 10-0715-012-H

A motion was made by Commissioner Reece and seconded by Commissioner Francis to accept the pre-determination settlement agreement as presented.

Hearing no discussion, Chairperson Francis asked for roll call.

Voting Aye: Francis, Crump, Olson, Quintero, Reece.
Motion carried 5-0.

LCHR NO.: 10-0729-034-E-R

A motion was made by Commissioner Crump and seconded by Commissioner Reece to accept the pre-determination settlement agreement as presented.

Hearing no discussion, Chairperson Francis asked for roll call.

Voting Aye: Crump, Quintero, Reece, Francis.
Abstained: Olson
Motion carried 4-1.

OLD BUSINESS:

Relocation

City Attorney Rod Confer reported that they had run into a snag regarding the estimates for the new space being higher than expected. However, he stated that the plans are to move forward and will be on the Public Building Commission's Agenda for approval on October 12, 2010. Commissioner Crump asked what the plans were for the K Street office area and Confer informed the Commissioners that the space will be rented to the

State for storage for the same amount of rent. He is hopeful the move to the County/City Building will be completed sometime in February, 2011.

Revision of Title 11 of the Lincoln Municipal Code

Confer stated reports from HUD conclude we are in compliance with Federal law, which Jocelyn Golden had also completed her own evaluation and determined we are in compliance at the State and Federal levels. He states that the decision was made to put any changes to Title 11 on hold.

NEW BUSINESS:

Angela Lemke introduced Regina Grant, the new AmeriCorp member. She has been on board for less than 2 weeks and has been working very hard with the Outreach program and is involved in the preliminary planning of the upcoming Civil Rights Conference that tentatively is planned for April 2011.

Next Meeting:

The next meeting will be held on Thursday, October 28, 2010 at 4:00 p.m. at the City Council Chambers, City County Building, 1st Floor, 555 South 10th Street.

ADJOURNED:

Meeting was adjourned at 4:26 p.m.